

6:45 p.m. – STUDY SESSION

- **Web Site Discussion**
- **Water Tower #1 Demolition**

Agenda

Tipp City City Council

7:30 p.m. Monday, November 16, 2015

Tipp City Government Center

260 South Garber Drive

Tipp City, Ohio 45371-3116

1.	Call to Order - Roll Call	President Gibson
2.	Prayer for Guidance, Pledge of Allegiance	Reverend Gary Boggs First Baptist Church
3.	Motion to Approve the Agenda	President Gibson
4.	Minutes Minutes of the November 2, 2015 City Council Work Session Minutes of the November 2, 2015 City Council Meeting	President Gibson
5.	Presentations, Proclamations, & Awards	Mayor Hale
6.	Legislation	Mr. Eggleston
	Ordinances (<i>second reading</i>) A. Ordinance No: __-15: An ordinance amending Section 34.04 of the Tipp City Code of Ordinances relating to the compensation of the Director of Law. (Introduced by President Gibson) Summary: This ordinance amends the compensation for the Director of Law. B. Ordinance No: __-15: An ordinance modifying Code Section 154.05(C)(3)(a) and (b) regarding the boundaries of the Old Tippecanoe City Restoration and Architectural Overlay District. (Introduced by Mr. Kessler) Summary: This ordinance would modify the boundaries of the Old Tippecanoe City Restoration and Architectural Overlay District. C. Ordinance No: __-15: An ordinance to amend the Zoning Code and the map attached thereto by changing the zoning of the western half of Inlot 44 located at 10 West Walnut Street from Community Center/Restoration District (CC/RA) to Community Center (CC) Zoning Classification. (Introduced by Mayor Hale) Summary: This ordinance would rezone the western half of Inlot 44 from Community Center/Restoration District to the requested Community Center. D. Ordinance No: __-15: An ordinance amending Chapter 37 Exhibit "B" of the Codified Ordinances of the City of Tipp City establishing pay and benefit schedules for Emergency Medical Services Personnel. (Introduced by Ms. Berbach)	

	<p>Summary: This ordinance modifies the method of compensation for volunteer and non-permanent, part-time employees in the EMS Division.</p> <p>E. Ordinance No: __-15: An ordinance to enact Chapter 39.60 of the Tipp City Codified Ordinances of the City of Tipp City regarding Municipal Income Tax. (Introduced by Ms. Gillis)</p> <p>Summary: This ordinance enacts Chapter 39.60 of the Tipp City Codified Ordinances to comply with amendments to the Ohio Revised Code setting statutory requirements for municipal income tax codes.</p> <p>F. Ordinance No: __-15: An ordinance repealing and amending section 31.10 through 31.37 of the Codified Ordinances of the City of Tipp City concerning the Rules of City Council. (Introduced by President Gibson)</p> <p>Summary: This ordinance will allow for clarity on procedures and streamline the process when adopting legislation.</p>	
	<p>Resolutions <i>(one reading required)</i></p> <p>A. Resolution No: __-15: A resolution authorizing the City Manager to enter into an agreement with Compass Point Planning, LLC for Consulting Services.</p> <p>Summary: Ten proposals/qualifications were received. Staff interviewed three firms and determined Compass Point Planning, LLC best met the needs for updating the City's Comprehensive Master Development Plan (CMDP). Estimated costs for this project is \$74,099.</p>	Mr. Eggleston
	<p>Ordinances <i>(first reading)</i></p> <p>A. Ordinance No: __-15: An ordinance adopting the 2016 annual budget for the City of Tipp City, Ohio.</p> <p>Summary: This ordinance adopts the operating budget for fiscal year 2016 as proposed by the City Manager and amended by City Council.</p> <p>B. Ordinance No: __-15: An ordinance to make appropriations for current expenses and other expenditures of the Municipality of Tipp City, Ohio during the Fiscal Year ending December 31, 2016.</p> <p>Summary: This ordinance establishes the specific appropriations called for in the above-mentioned 2016 fiscal year budget.</p> <p>C. Ordinance No: __-15: An ordinance amending Chapter 32 – Executive Authority, Sections 32.01 and 32.02 of the Codified Ordinances of the City of Tipp City.</p> <p>Summary: This ordinance will add or revise language to clarify conditions of employment and are needed to remain current with city policies and operations.</p>	Mr. Eggleston
7.	Motions	President Gibson
8.	Miscellaneous	Mr. Eggleston
9.	Citizen Comments on Items Not on the Agenda	President Gibson
10.	Comments of Councilmembers/City Manager	President Gibson
11.	Adjournment	President Gibson

EXECUTIVE SESSION – Purchase or Sale of Property

Personnel – to consider the compensation of public employees or officials.

Council welcomes the comments and input of the public during the Council meetings. In order to provide an orderly fashion in which all interested parties have an opportunity to address Council, Council has adopted the following procedure for citizen's comments during any portion of the Council meeting or Public Hearing.

Any citizen who wishes to address Council must first seek recognition from the President of Council. Upon recognition by the President, the speaker should approach the podium, state their name and make their comments. Speakers should not leave the podium to approach Councilmembers without first obtaining permission. After completion of their comments, Council would request that the speakers return to their seat so that any other interested persons could then be recognized and address Council.

The purpose of this procedure is to afford the maximum opportunity for citizen input without any type of disruption of the Council proceedings. While others are addressing Council from the podium, Council requests that audience members not make comments to Council or to individuals at the podium to prevent any potential confusion or disruption.



November 13, 2015

The Honorable President Gibson &
City Council Members

MEETINGS/EVENTS

Monday, November 16 th	6:30 pm	Work Session
Monday, November 16 th	7:30 pm	City Council Meeting

STUDY SESSION

- A. Web Site Discussion**
- B. Water Tower #1 Demolition**

AGENDA

PRESENTATIONS, PROCLAMATIONS, & AWARDS

ORDINANCES (second reading)

- A. Law Director Compensation**– This ordinance authorizes a 4% increase in the Law Director’s salary from \$42,312 to \$44,004. The Law Director has served the City for four years and has received three cost of living adjustments to his annual compensation but no merit increases since being hired in January, 2012.
- B. Code Modification to the boundaries of the Historic District** – The Restoration District was originally formed in 1974 with the passage of Ordinance 46-74. The purpose of the Restoration District is to preserve and maintain the unique character of historical Tippecanoe City that serves as a visible reminder of the history of the city. It is also the purpose of the district to stabilize and improve property values within the Old Tippecanoe Restoration District by protecting the historical character and architectural details of structures within the district, minimizing the demolition of historical structures and encouraging new buildings and developments to be harmonious with the existing historic architecture.

Brian Land, the property owner of 10 West Walnut Street, has requested to remove the property from the Historic Restoration District. This request requires two legislative actions. 1). An ordinance to amend Chapter 154, which defines the Historic Restoration District, and 2). An ordinance to rezone the western half of Inlot 44 from the current Community Center/Restoration District designation to just Community Center. The Restoration Board met on September 22, 2015 and reviewed the requested Zoning Code and Zoning Map amendment and forwarded a **negative** recommendation to the Planning Board and to City Council.

The Planning Board, set a public hearing for October 13th. At this meeting, the Planning Board reviewed the request in accordance with their regulation, the Comprehensive Master Development Plan, and the recommendation of the Restoration Board and forwarded a **negative** recommendation to City Council regarding this request.

It is the opinion of staff that the proposed amendment is not consistent with the comprehensive plan. Removal of property from the historic district is an otherwise solid block (N. Third to N. Second and E. Walnut to Main) of properties that are all within the historic district degrades the function and character of the historic district as a whole. **Staff agrees with the negative recommendations made by the Restoration Board and Planning Board for the property at 10 West Walnut Street.**

Also note, in accordance with Code Section 154.03(C)(4)(e)(iii), “In the event City Council denies or modifies the recommendation (NEGATIVE) of the Planning Board, it shall do so by no less than a 2/3 vote of the members present of City Council, with a minimum of four votes”. Thus, the minimum 2/3 vote would apply since there is a negative recommendation.

- C. Amending the Zoning Code Map** – This is companion legislation for the above.
- D. Amending Chapter 37 Exhibit B** – The Affordable Care Act (ACA) requires the City of Tipp City to offer health insurance to all employees that average in excess of 30 hours worked per week. The volunteer employees of the EMS Division currently receive hourly on-call pay as an incentive to carry a pager and to be available in an on-call status to respond to medical emergencies. This ordinance changes the method of compensation for volunteer and non-permanent, part-time employees and will provide (“paid on-call”) personnel a bi-weekly stipend of \$50. This stipend is to ensure volunteer staff availability and will not apply to permanent part-time employees of the Division.
- E. Municipal Income Tax** – The General Assembly has determined that it is necessary and appropriate to comprehensively review and amend Chapter 718 of the Ohio Revised Code, setting forth statutory requirements for municipal income tax codes in Ohio. Specifically, the General Assembly enacted House Bill 5 in December 2014, and mandated that municipal income tax codes be amended by January 1, 2016 such that any income or withholding tax is “levied in accordance with the provisions and limitations specified in [Chapter 718]”. This ordinance amends Chapter 39.06 of the Tipp City Codified Ordinances to comply with amendments to the Ohio Revised Code setting statutory requirements for municipal income tax codes.
- F. Council Rules** – At the October 5th work session, Council President Gibson passed out suggested changes to the Council Rules that are deemed necessary to comply with the City Charter and changes in Ohio Law. The modifications will allow for clarity on procedures and streamline the process when adopting legislation.

RESOLUTIONS (require one reading)

- A. Comprehensive Master Development Plan** - Ten proposals/qualifications were received. Staff interviewed three firms and determined Compass Point Planning, LLC best met the needs for updating the City’s Comprehensive Master Development Plan (CMDP). Work will be completed at an estimated cost of \$74,099, under the budgeted amount of \$95,000.

ORDINANCES (first reading)

- A. Adopting 2016 Annual Budget** - The Operating Budget provides a complete financial plan of all municipal funds and activities for 2016. The operating budget sets forth estimated revenue and proposed expenditures detailed by department, including debt service and capital expenditures. The 2016 Operating Budget proposes \$42,586,033 in total appropriations. The operating budget was reviewed in detail during Council's October 28th workshop. Section 7.06(B) of the Charter provides that "after the public hearing, the Council may adopt the annual operating budget with or without amendment. In amending the annual operating budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts . . ."
- B. 2016 Appropriations** - The 2016 appropriation ordinance is companion legislation to the operating budget ordinance. The appropriation ordinance authorizes the expenditure of funds while the operating budget sets forth the financial plan for the ensuing fiscal year, including estimated revenue and proposed expenditures. The appropriation ordinance mirrors the proposed expenditures set forth in the operating budget presented to Council this evening.
- C. Chapter 32 - Executive Authority** – Staff is recommending minor changes to Chapter 32 to bring it up to date. The City Manager does provide or pay to be bonded, the job title of the Secretary to the City Manager was updated to be inline with Chapter 37 to add Executive to the title as well as allowing council to decide if they want the Executive Secretary to the City Manager as the Clerk of Council. The Law Director has reviewed this piece of legislation.

MOTIONS - None

MISCELLANEOUS – None

Informational Items

City Manager's meetings for the month

November 18 – Rotary

November 19 – Mayors and Managers Monthly Meeting

November 25 – Rotary

November 25 – 911 Board Meeting

November 26 – Government Offices Closed – Thanksgiving Holiday

November 30 – Tri-Agency Meeting – Township to host